



Eric Gonzalez
District Attorney

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KINGS COUNTY**

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[INSERT NAME]
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: [INSERT CASE NAME]
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: **HERBIERTO HERNANDEZ**

MOS TAX: [REDACTED]

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

Disclosure # 1:

THE NYPD ORDERED A DISPOSITION OF GUILTY TO THE FOLLOWING CHARGES AND SPECIFICATIONS ARISING FROM 09/10/2010 AGAINST MOS HERNANDEZ:

1. MOS HERNANDEZ USED PHYSICAL FORCE AGAINST A PERSON KNOWN TO THE DEPARTMENT WITHOUT HAVING POLICE NECESSITY TO DO SO, TO HIT MOS HIT PERSON KNOWN TO DEPARTMENT ON THE HEAD WITH AN ASP.

ACTION TAKEN: MOS FORFEITED FIVE (5) VACATION DAYS.

Disclosure # 2:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 02/25/2020, AGAINST MOS HERNANDEZ: ALLEGATION(S):

1. FAIL TO PREPARE REPORT - STOP QUESTION FRISK REPORT
- CASE STATUS: CLOSED ON 03/19/2020

Disclosure # 3:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 03/13/2020, AGAINST MOS HERNANDEZ: ALLEGATION(S):

1. FAIL TO SAFEGUARD DEPARTMENT EQUIPMENT - ACTIVITY LOG
2. MISSING DEPARTMENT EQUIPMENT - ACTIVITY LOG
3. FAIL TO NOTIFY IN A TIMELY MANNER - IAB

CASE STATUS: CLOSED ON 03/25/2020

ACTION TAKEN: NO ACTION TAKEN

BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH OCTOBER 13, 2020, THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND/OR PENDING ALLEGATIONS AGAINST THIS OFFICER:

Disclosure # 4:

CCRB CASE: 200907980

REPORT DATE: 05/22/2009

INCIDENT DATE: 05/12/2009

CCRB SUBSTANTIATED ALLEGATION(S):

1. FORCE – NIGHTSTICK AS CLUB (INCL ASP & BATON)

NYPD DISPOSITION: GUILTY - DCT AND FORFEITURE OF FIVE (5) VACATION DAYS.

Disclosure # 5:

CCRB CASE: 201903480

REPORT DATE: 04/24/2019

INCIDENT DATE: 02/05/2019

CCRB SUBSTANTIATED ALLEGATION(S):

1. ABUSE – FAILURE TO PROVIDE RTKA CARD

OTHER MISCONDUCT NOTED:

1. OTHER MISCONDUCT NOTED – FAILURE TO PRODUCE STOP AND FRISK REPORT

Disclosure # 6: (PENDING)

CCRB CASE: 202006271

REPORT DATE: 09/15/2020

[REDACTED]

Eric Gonzalez
District Attorney
Kings County